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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,278	08/30/2001	Albert Gouyet	NETS0074	1879

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EXAMINER
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WU, RUTAO

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/944,278	<b>Applicant(s)</b> GOUYET ET AL.	
	<b>Examiner</b> Rutao Wu	<b>Art Unit</b> 3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Regarding claims 14, 22, 40, 48, and 56, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 8-14, 18-29, 34-40, 44-52 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat No. 5,732,398 to Tagawa.

#### **Referring to claims 1 and 27:**

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:

a server for receiving a request for travel information and for processing said request into a query; (col 4: lines 6-9, 23-24)

a database for storing relevant travel information from a plurality of internal and external partners, for receiving and processing said query using said stored travel information, and returning said search result to said server, wherein said search result comprises said travel information in a concise and consistent fashion, thereby providing ease of use for an end user. (col 4: lines 12-14, 25-28; col 5: lines 59-63; col 8: lines 55-60)

**Referring to claims 2 and 28:**

The system of Claim 1, further comprising:

a feed retrieval system for linking to said plurality of internal and external partners to obtain said relevant travel information, and for categorizing, organizing, customizing, and otherwise preparing said relevant travel information for efficient storage by said database for easy retrieval. (col 5: 58-67; col 6: 1-15)

**Referring to claims 3 and 29:**

The system of Claim 2, said feed retrieval system further comprising:

a rules-based engine for said obtaining said relevant travel information from said internal and external partners. (col 4: lines 11-14, 24-27)

**Referring to claims 8 and 34:**

The system of Claim 1, further comprising:

lookup table for determining matches to facilitate processing said request into said query. (col 4: lines 11-14, 24-27)

**Referring to claims 9 and 35:**

The system of Claim 1, further comprising:

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a search mechanism for determining a context of said request, thereby anticipating an end user's intention. (col 4: lines 11-14, 24-27)

**Referring to claims 10 and 36:**

The system of Claim 9, said search mechanism further comprising:

a variety of context determining categories; and (col 4: lines 23-25, 36-38, 64-66; col 5: lines 22-33)

means for determining said a context determining category. (col 7: lines 14-17)

**Referring to claims 11 and 37:**

The system of Claim 10, wherein said variety of context determining categories comprise, but are not limited to:

Destination and interest. (col 4: lines 24-27, 42-44)

**Referring to claims 12 and 38:**

The system of Claim 1, said search result comprising, but not limited to, the following travel categories:

Destination guides; canned keywords; local events; low air fares; hot deals; and lodging. (col 10: lines 60-64)

**Referring to claims 13 and 39:**

The system of Claim 1, wherein said travel information comprises static and/or dynamic information. (col 10: lines 24-31)

**Referring to claims 14 and 40:**

The system of Claim 13, wherein said dynamic information comprises, but is not limited to:

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Local events; low air fares; hot deal; fare watch; and the like. (col 10: line 25-29)

**Referring to claims 18 and 44:**

The system of Claim 1, further comprising a local escapes feature, wherein said local escapes features uses a home location to provide particular travel information. (col 4: lines 33-35, 42-45)

**Referring to claims 19 and 45:**

The system of Claim 18, further comprising:

Means for determining said home location when not provided by an end user.

(col 11: lines 1-4)

**Referring to claims 20 and 46:**

The system of Claim 18, wherein said home location is selected from a list of predetermined home locations. (col 8: lines 55-60; col 9: lines 10-15)

**Referring to claims 21 and 47:**

The system of Claim 20, wherein said list of predetermined home locations comprises, but is not limited to fifty predetermined cities or home airports. (col 9: lines 10-15)

**Referring to claims 22 and 48:**

The system of Claim 18, wherein said provided travel information comprises, but not limited to local escapes categories: fare watch, weekend e-fares, local events, hot deals, links to other cities, maps, other resources, and the like. (col 10: lines 61-64)

**Referring to claims 23 and 49:**

The system of Claim 18, further comprising:

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Means for filtering out travel information not relevant to said home location. (col

4: lines 32-35, 42-45; col 11: lines 1-4)

**Referring to claims 24 and 50:**

The system of Claim 18, further comprising:

A multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, and wherein content in said regions overlap.

(col 8: lines 51-67; col 9: 1-33)

**Referring to claims 25 and 51:**

The system of Claim 24, wherein geographical regions comprise urban regions.

(col 9: lines 1-9)

**Referring to claims 26 and 52:**

The system of Claim 25, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. (col 9: lines 25-32)

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 6,457,009 to Bollay.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose custom coded forms supplied to partners for facilitating obtaining travel information. Tagawa also does not disclose that the forms are in XML format.

Bollay discloses in his invention that a generic HTML form is filled in, and then translation is done on the form from a uniform field name to an actual name used by a corresponding remote database. (col 2: lines 44-49)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include custom generated forms that can be supplied to partners to facilitate information gathering. One would be motivated to perform such modification to allow a standardized form being used by the partners to facilitate obtaining travel information.

Regarding claims 5 and 31. Bollay does not explicitly state that the forms can also be coded in standard languages other than HTML, e.g. XML. The examiner takes official notice that forms coded in XML format are not a new feature. XML is another standardized language similar to HTML. Example can be found in U.S. Pat No. 6,697,967 to Robertson (col 2: lines 20-24)

5. Claims 6, 7, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 6,601,059 to Fries.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose a spell check service to provide correct spelling of an intended word, and the



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means of providing suggestions on alternate spelling or relevant phrases, or means for setting ambiguity among words or phrases having similar parts.

Fries discloses in his invention a method of providing a visual cue to the user to indicate that the search query includes a misspelled word. The method also includes a step of providing lists of possible spellings for the misspelled words and allowing the user to select one of the possible spellings from the list. The method then replaces the misspelled word with the selected spelling to produce modified test. (col 1: lines 54-63)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the spell checker that will notify the misspelled word, and then suggest alternatives. One would be motivated to perform such modification to assist the end user in providing correct spelling of an intended word so the search query with the word or phrase can be more effective.

6. Claims 15-17 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of [www.travelocity.com](http://www.travelocity.com).

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose that the travel information is presented in one web page; that the web page comprises links for linking more detailed information; and that the more detail information comprises information reflecting and associated with one or more than one of said context determining categories.

www.travelocity.com discloses a web server with travel information presented in one web page. The web page also includes links to more detail information, and the information reflects one or more than one of the context determining categories.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the web page from www.travelocity.com that has links for more detailed information reflecting the context determining categories. One would be motivated to perform such modification to allow users to obtain travel information at places other than the plurality of kiosk described by Tagawa.

7. Claims 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagawa in view of U.S. Pat No. 5,995,972 to Allgeier.

Tagawa discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. Tagawa does not disclose a search algorithm that querying a first database, if a match is established, then corresponding information from said first database is returned; if a match is not established, then querying a second database; if a match is established, then corresponding information from said second database is returned; if no match is established, then a spell check tool is invoked, and the process of querying the first and second database is repeated; and if all above querying attempts are exhausted, a simple text search is performed.

Allgeier discloses in his invention an object locator to initially query the select data primary access location to determine whether the select data exists in the first

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database in response to receiving the request, and to read the select data from the first database in response to determining that the select data exists in the first database; and to subsequently query the select data secondary access location to determine whether the select data exists in the second database in response to determining that the select data does not exist in the first database, and to send the requested data to the first database in response to determining that the requested data exists in the second database. (col 1: line 59 – col 2: line 2; claim 1)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Tagawa's invention to include the search algorithm disclosed by Allgeier. One would be motivated to perform such modification to have systematic way of searching a plurality of databases.

Regarding claim 54, Tagawa discloses a local visitor attraction inventory, and an airline inventory. (col 10: lines 25-29)

Regarding claim 55, Tagawa discloses the data input by the user in response to such queries would then be used to narrow down the search process of the choices that match the user's needs. (col 2: lines 65-67)

Regarding claim 56, Tagawa discloses options of local visitor attractions, local lodging, local U-drive cars, local or intrastate tour packages, airline tickets, out-of-state tour packages, cruises and other shopping options. (col 10: lines 61-63)

### ***Conclusion***

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8. Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to travel sales and reservation systems:

U.S. Pat No. 5,576,951 to Lockwood.

U.S. Pat No. 5,644,721 to Chung et al.

U.S. Pat No. 5,832,451 to Flake et al.

U.S. Pat No. 5,832,454 to Jafri et al.

U.S. Pat No. 5,926,798 to Carter et al.

U.S. Pat No. 5,948,040 to DeLorme et al.

U.S. Pat No. 6,119,094 to Lynch et al.

The following patents are cited to further show the state of the art with respect to searching and information retrieval in general:

U.S. Pat No. 6,697,967 Robertson.

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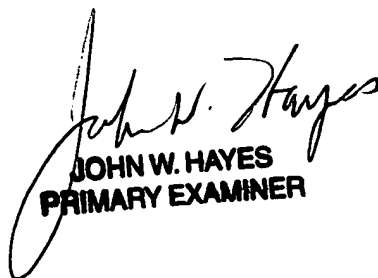
U.S. Pat No. 6,754,581 to Blachowicz et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rutao Wu whose telephone number is (571)272-3136. The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JOHN W. HAYES  
PRIMARY EXAMINER